

REMARKS

[0001] The Office Action found that objected to Claims 3-4, would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Office Action rejected Claims 1-2, 5, 8-14, 16-18, and 20-24 under 35 U.S.C. §102(e) as being anticipated by Rabinovitz (US Patent No. 6,906,918).

[0002] Claims 1, 2, 11, 14, 16, and 22 have been amended to place the case in condition for allowance. Claim 3 has been canceled because the subject matter for this allowable claim has been added to the respective independent claims including subject matter from any intervening claims. In addition, Claims 12 and 17 have been canceled because the subject matter therein has been included in Claims 11 and 16, respectively. No new subject matter was added to the claims.

[0003] Applicants have amended Claim 1 to include the allowable subject matter identified by the Examiner. Specifically, Claim 1 was amended to include the hinge element and recite that the mounting frame swivels on the hinge, the mounting frame transitioning between the operational position in which the mounting frame is flush with the exterior surface of the equipment drawer and the loading position in which the mounting frame is disposed at an angle to the equipment drawer.

[0004] The amendment to Claim 1 required an amendment to Claim 2. Additionally, Claim 2 was amended to remove the electrical connector which was added earlier to Claim 1.

[0005] Similarly, Claim 11 was amended to include the hinge and other allowable subject matter identified by the Examiner. In addition Claim 11 was amended to include the connector recited in Claim 12. Claim 12 was canceled accordingly. Again Claims 14, 16, and 22 were amended to include the allowable subject matter and connector present in Claim 1. Consequently, Claim 17 was canceled.

Response to rejections of claims 1-2, 5, 8-14, 16-18, and 20-24 under 35 U.S.C. § 102(e).

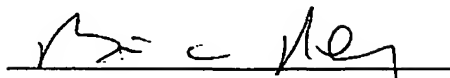
[0006] Claims 1-2, 5, 8-14, 16-18, and 20-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Rabinovitz. Applicants submit that the amendments made in this response obviate this rejection.

[0007] "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). For a *prima facie* case of anticipation, each and every element of the claimed invention must be identically disclosed in a single prior art reference; and those elements must be arranged or connected together in a single reference in the same way as specified in the patent claim. *Lindemenn Maschinenfabrik GmbH vs. American Hoist and Derick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984).

[0008] As noted by the Examiner, Rabinovitz fails to show that a mounting frame swivels on the hinge, the mounting frame transitioning between the operational position in which the mounting frame is flush with the exterior surface of the equipment drawer and the loading position in which the mounting frame is disposed at an angle to the equipment drawer. Rabinovitz also fails to teach the feature of hot swappable of electrical devices allowed by said mounting frame. Applicants have included these features in amended independent Claims 1, 11, 14, 16 and 22. Furthermore, Rabinovitz fails to show an equipment drawer configured to receive a plurality of said mounting frames. Because Rabinovitz does not contain each element of the embodiment of the present invention as amended, Applicants assert that amended Claims 1, 11, 14, 16, and 22 are allowable.

[0009] Applicants have not specifically traversed the rejections of dependent claims 2, 5, 8-10, 13, 18, 20-21, and 23-24 under 35 U.S.C. 120(e), but believe those claims to be allowable for depending from allowable claims. See, *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Applicants respectfully request that this case be allowed. In the event any questions or issues remain that can be resolved with a phone call, the Examiner is respectfully requested to initiate a telephone conference with the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian Kunzler', is written over a horizontal line.

Brian Kunzler
Reg. No. 38,527
Attorney for Applicant

Date: September 27, 2005
8 East Broadway, Suite 600
Salt Lake City, UT 84111
Telephone (801) 994-4646
Fax (801) 531-1929